

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAYMOND T. BALVAGE and
DEBORAH A. BALVAGE, husband and
wife; et al.,

Plaintiffs,

RYDERWOOD IMPROVEMENT AND
SERVICE ASSOCIATION, INC., a
Washington non-profit corporation,

Defendant.

Case No. 3:09-cv-05409-BHS

**STIPULATION AND ORDER RE
EXTENSION OF TRIAL DATE AND
CASE SCHEDULE**

The parties in this lawsuit hereby stipulate and agree:

STIPULATION

1. The parties agree that good cause exists for the Court to extend the trial date in this lawsuit, which is presently scheduled for May 21, 2013. After Plaintiffs filed their Third Amended Complaint on November 2, 2012, in which Plaintiffs brought additional personal claims of the 47 named plaintiffs, extensive additional discovery is needed relating to each of the 47 plaintiffs. The parties are not in position to be able to make the disclosures, complete discovery, and otherwise meet the present case schedule deadlines or to be ready for trial by the presently scheduled trial date.

2. Additionally, due in part to the possible need to call as witnesses most or all of the 47 named plaintiffs, the parties request the Court reserve 20 days for trial (as opposed to the 10 days presently reserved).

3. With respect to a requested new trial date, counsel for defendant has previously scheduled trial dates which conflict with possible dates for a new trial date in this case, which include other trial dates of August 21, 2013 and beginning the second week of September 2013. Thus, the parties request the Court set a new trial date in this case alternatively as follows:

- (a) a new trial date of July 22, 2013, if such date is available for the Court and if four weeks is available for reservation of trial time; or
- (b) a new trial date beginning October 7, 2013 or as soon thereafter depending on the Court's availability.

4. The parties also request the Court issue or the Court directs the Court Clerk to issue a new case schedule consistent with the new trial date.

5. Thus, the parties agree the Court may enter an order setting a new trial date as chosen by the Court with the above timing requests in mind, and setting (or directing the Clerk to set) a new case schedule consistent with the timing of the new trial date.

DATED this 12th day of November, 2012.

LANE POWELL PC

BETTS PATTERSON & MINES PS

[per email approval]

By s/ Joseph E. Lynam
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By s/ Steven Goldstein
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[per email approval]

By s/ Bob White and Diane White
Bob White and Diane White, husband and
wife
Plaintiffs, appearing pro se

ORDER

BASED on the above Stipulation, IT IS HEREBY
ORDERED that the trial date in this case is extended to October 8, 2013, and
ORDERED that the Court Clerk is directed to issue a new case schedule consistent with
the new trial date.

DATED this 14th day of November, 2012.

Frank J. Sacco

BENJAMIN H. SETTLE
United States District Judge

Presented by:
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Bob White and Diane White, husband and wife
Plaintiffs, appearing pro se

**STIPULATION AND ORDER RE EXTENSION OF TRIAL
DATE AND CASE SCHEDULE - 3**
Case No. 3:09-cv-05409-BHS

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